

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**FEIN, SUCH, KAHN & SHEPARD, P.C.**

Counsellors at Law

7 Century Drive - Suite 201

Parsippany, New Jersey 07054

(973) 538-9300

Attorneys for Secured Creditor

FAY SERVICING LLC, as servicer for

WILMINGTON SAVINGS FUND SOCIETY, FSB,

D/B/A CHRISTIANA TRUST, NOT

INDIVIDUALLY BUT AS TRUSTEE FOR

HILLDALE TRUST

JILL A. MANZO, ESQ.

AYS238

bankruptcy@feinsuch.com

In Re:

HANY ELAZAB

Debtor(s).



Order Filed on February 24, 2019  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

Case No.: 16-32037 JKS

Adv. No.:

Chapter: 11

Hearing Date: August 21, 2018

Judge: Hon. John K. Sherwood

**ORDER VACATING THE AUTOMATIC STAY AS TO REAL PROPERTY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: February 24, 2019**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

Upon the motion of **FEIN, SUCH, KAHN & SHEPARD, P.C. attorneys for the Secured Creditors**, FAY SERVICING LLC, as servicer for WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR HILDALE TRUST, under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain real property as hereinafter set forth, and for cause shown,

**ORDERED** that the automatic stay of Bankruptcy Code Section 362(a) is hereby vacated to permit the Movant to institute or resume and prosecute to conclusion one or more action(s) in the Court(s) of appropriate jurisdiction to foreclose mortgage(s) held by the Movant upon the following:

☒ Real property more fully described as:

16 BROOK ROAD, UPPER SADDLE RIVER, NJ 07458.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.